

COMMONWEALTH OF VIRGINIA  
STATE AIR POLLUTION CONTROL BOARD

9 VAC 5 CHAPTER 200.

REGULATION FOR NATIONAL LOW EMISSION VEHICLE PROGRAM.

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9 VAC 5-200-10. Definitions.

A. For the purposes of this chapter or any orders issued by the board, the words or terms shall have the meaning given them in subsection C of this section.

B. As used in this chapter, all terms not defined herein shall have the meaning given them in 9 VAC 5 Chapter 170 (9 VAC 5-170-10 et seq.), unless otherwise required by context.

C. Terms Defined.

"EPA" means Environmental Protection Agency.

"GVWR" means gross vehicle weight rating.

"LEV" means low emissions vehicle.

"ZEV" means zero emissions vehicle.

"ZEV mandate" means any state regulation or other law that imposes (or purports to impose) obligations on auto manufacturers to produce, deliver for sale, or sell a certain number or percentage of ZEVs.

9 VAC 5-200-20. Participation in National LEV.

A. For the duration of Virginia's participation in National LEV, manufacturers may comply with National LEV or equally stringent mandatory federal standards in lieu of compliance with any program, including any mandates for sales of ZEVs, adopted by the board pursuant to the authority provided in § 177 of the federal Clean Air Act applicable to passenger cars, light-duty trucks up through 6,000 pounds GVWR, and medium duty vehicles from 6,001 to 14,000 pounds GVWR if designed to operate on gasoline, as these categories of motor vehicles are defined in the California Code of regulations, Title 13, Division 3, Chapter 1, Article 1, § 1900.

B. Virginia's participation in National LEV extends until model year 2006,

except as provided in 40 CFR 86.1707. If, no later than December 15, 2000, the U.S. EPA does not adopt standards at least as stringent as the National LEV standards provided in 40 CFR 86 subpart R that apply to new motor vehicles in model year 2004, 2005, or 2006, Virginia's participation in National LEV extends only until model year 2004, except as provided in 40 CFR 86.1707.

9 VAC 5-200-30. Transition from National LEV requirements to a Virginia Section 177 program.

If a covered manufacturer, as defined at 40 CFR 86.1702, opts out of the National LEV program pursuant to the EPA National LEV regulations at 40 CFR 86.1707, the transition from National LEV requirements to any Virginia Section 177 program applicable to passenger cars, light duty trucks up through 6,000 pounds GVWR, and/or medium duty vehicles from 6,001 to 14,000 pounds GVWR if designed to operate on gasoline, as these categories of motor vehicles are defined in the California Code of Regulations, Title 13, Division 3, Chapter 1, Article 1, § 1900, will proceed in accordance with the EPA National LEV regulations at 40 CFR 86.1707.

#### HISTORICAL NOTES:

Effective Date: April 14, 1999

Promulgated: April 14, 1999

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